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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING

4

COMMITTEE ON RULES

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6

Room 696, City Hall
Philadelphia, Pennsylvania
Wednesday, October 15, 2003
10:20 a.m.

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- 10 BILL 030483 - An Ordinance amending Title 14 of the
Philadelphia Code...
11 BILL 030492 - An Ordinance amending Title 14 of the
Philadelphia Code...
12 BILL 030564 - An Ordinance to waive certain
conditions, covenants and restrictions affecting the
13 use and development of certain area of land situate
in the 58th Ward...
14 BILL 030565 - An Ordinance to amend the Philadelphia
Zoning Maps...
15 BILL 030566 - An Ordinance to amend the Philadelphia
Zoning Maps...
16

PRESENT:

- 17 COUNCILMAN JAMES KENNEY, Chair
COUNCIL PRESIDENT ANNA VERNA
18 COUNCILMAN FRANK DICICCO
COUNCILMAN MICHAEL NUTTER
19 COUNCILMAN DARRELL CLARKE

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2 COUNCILMAN KENNEY: Good morning ladies
3 and gentlemen. Committee on Rules is now in
4 session.

5 The first bill we will hear today is
6 Bill No. 030492, which is an ordinance amending
7 Title 14 of the Philadelphia Code, relating to
8 "Zoning and Planning," by amending Chapter 14-1600,
9 entitled "Miscellaneous," by adding a new Section
10 14-1627, entitled "Yorktown Special District
11 Controls"; all under certain terms and conditions.

12 Please identify yourself for the
13 record. Are you testifying on this bill, Mr.
14 Chapman?

15 MR. CHAPMAN: Good morning, Mr. Chairman
16 and Members of the Committee. For the City Planning
17 Commission, my name is Thomas Chapman. This bill
18 has not been considered yet by the Planning
19 Commission, so I really didn't have any testimony
20 for this morning's hearing.

21 COUNCILMAN KENNEY: Thank you.
22 Councilmember Clarke.

23 COUNCILMAN CLARKE: Thank you, Mr.
24 Chairman. Mr. Chairman, this bill was introduced as
25 a result of some concerns that we've had relating to

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2 the issues of -- with the bill as it's presented,
3 what I have a copy of. Our ordinance in our area
4 calls for no boarding houses, multi-dwelling homes.
5 But in this statement here it clearly states that
6 beyond your control is the Zoning Commission who can
7 say that someone can come in and do these things in
8 the area. And if they do, then they have to provide
9 for parking and all this other wonderful stuff. And
10 one of the issues on here is garage parking and
11 off-street parking. Well, we already have that
12 problem. That is our major focus.

13 Temple is building monster dorms
14 everywhere there's a piece of grass. We can't park.
15 My car has been broken in four times because people
16 just come through the area. My son-in-law's car has
17 been broken in twice; my husband's once. We have a
18 parking issue. And I think I've expressed that
19 concern Mr. Clarke on several occasions through his
20 office, memos, and faxes and personally as well.

21 One part says that Yorktown can't do it.
22 The Zoning Commission says that they can, so they
23 come in now they're doing it. We just don't want
24 that in the community because will that open up to
25 Section 8 housing as well?

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2 COUNCILMAN CLARKE: Let me briefly
3 explain what we're attempting to do here. We
4 obviously will talk about it at the community
5 meeting. What we're trying to do is require,
6 through a zoning overlay, that every unit has off
7 street parking. Say, for instance, if we have a
8 building in Yorktown and it's converted into
9 apartments, such as what was done on 13th Street and
10 Oxford. Right now there's only one off-street
11 parking pad for that particular property. What we
12 will require is if that building is converted into
13 three units, it will essentially have to have three
14 off-street parking. Now, you know based on the
15 configuration of that property, there's no way that
16 they can have three off-street parking spaces.

17 MS. LEWIS: Well, what we're saying is
18 that we don't want it converted. We don't want
19 those single family homes that is in a historical
20 area converted, period.

21 COUNCILMAN CLARKE: Let me finish. I
22 understand that. An individual has the ability, the
23 right to go to a zoning board hearing and ask for a
24 variance to change --

25 MS. LEWIS: I don't think this

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2 individual did. We're going to check further. But
3 I'm pretty sure that both the properties that have
4 been split have not gone through the Zoning
5 Commission.

6 COUNCILMAN CLARKE: I understand where
7 you're coming from. If you let me finish.

8 What we're attempting to do is to set
9 the threshold so high that there's no way
10 conceivably that that individual can have a facility
11 that allows multi-family units -- because of the
12 configuration of that unit, there's no way that they
13 can have three off-street parking spaces. It's just
14 simply something that couldn't happen. We're also
15 requiring certain other things in the bill.

16 Basically what we wanted to do is to raise the
17 threshold to make it extremely difficult for people
18 to convert those properties into multi-family units.
19 Trust me, I've heard from you, I've heard from
20 residents in the community. We actually have some
21 other things that we're working with that I'll talk
22 to you about at the community meeting, some
23 arrangement that we tentatively have agreed with
24 Temple University to provide some opportunities for
25 residents for permanent parking in the immediate

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2 area.

3 MS. LEWIS: We don't want them in our
4 area. When I go home at 5 o'clock, I would like to
5 able to park. Because if something happens off that
6 curb, the City is going to make me fix it.

7 COUNCILMAN CLARKE: I understand. But
8 this is America. We can't tell a person they can't
9 park on the street.

10 MS. LEWIS: I understand that, but I
11 think there should be some type of better control in
12 our area. And going back to the multi-dwelling
13 units, converting those single family homes, those
14 homes have the drive in space, they also have the
15 garage. What's to stop an individual from
16 sectioning off the interior of the house using the
17 front and back part of the basement and use the back
18 door as an entrance and use the garage as a parking
19 space and driveway as the second space and putting
20 two occupants --

21 COUNCILMAN CLARKE: You would then take
22 away their ability to make basement area into a
23 unit, which was done on 13th Street. And I don't
24 think it's cost productive to do that.

25 MS. LEWIS: We would also like you to

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2 check into one of the other properties where the
3 individual has paved it AND made a two car private
4 parking and has also outline it in yellow lines like
5 the City came out and did that, and we know that the
6 City didn't.

7 COUNCILMAN CLARKE: It's probably not
8 legal.

9 MS. LEWIS: We know the City didn't do
10 it.

11 COUNCILMAN CLARKE: Before you leave,
12 you can give that address to Mr. Carter, my
13 legislative assistant, and we'll check on that for
14 you.

15 MS. LEWIS: I certainly will. I'll see
16 you at the meeting.

17 COUNCILMAN KENNEY: Thank you very much.
18 Thanks for coming in.

19 Anyone else to testify on this bill?

20 (No response.)

21 COUNCILMAN KENNEY: The next bill is
22 Bill No. 030612, an Ordinance authorizing
23 Neighborhood Improvement District Management
24 Associations to provide interest to accrue upon
25 assessment fees levied on property owners within the

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2 Neighborhood Improvement District. If such fees are
3 not paid when due, and authorizing liens to be filed
4 for non-payment of such interest, all under certain
5 terms and conditions.

6 Please identify yourself.

7 MR. BUMB: My name is Duane Bumb, Deputy
8 Director of Commerce. Good morning, Councilman
9 Kenney and Members of City Council.

10 I'm here to provide testimony in support
11 of Bill 030612. This bill would allow Neighborhood
12 Improvement District Management Associations to
13 charge interest on property assessment fees that are
14 not paid when due.

15 To date, the City has authorized the
16 creation of Neighborhood Improvement Districts along
17 East Passyunk Avenue and South Philadelphia along
18 Main Street in Roxborough and within an industrial
19 area in Port Richmond. In each of these districts,
20 the local business community agreed to pay a
21 supplemental levy to designated Neighborhood
22 Improvement District Management Association to fund
23 activities that would enhance the cleanliness,
24 safety, and attractiveness of the neighborhood
25 district. These Neighborhood Improvement Districts

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2 need the assessments to be paid in a timely manner
3 in order to implement a budget that tie services to
4 revenues. The imposition of an interest charge on
5 late payments can be a valuable incentive to
6 encourage taxpayers to make prompt payment. The
7 Center City District and several other Special
8 Service Districts recognize the importance of
9 interest assessments as a cash flow management tool.
10 As a result, these Special Service Districts have
11 already obtained and are actively utilizing the
12 right to charge interest on late payments.

13 The legislation before you today would
14 extend the same management tool to Neighborhood
15 Improvement Districts. I, therefore, urge your
16 support of Bill 030612. Thank you for your
17 consideration. I'll be happy to answer any
18 questions.

19 COUNCILMAN KENNEY: Thank you very much.

20 Anyone else to testify on this bill?

21 Please come forward. Good morning.

22 Please identify yourself.

23 MR. CATTEL: Good morning. I'm Robert
24 Cattel, Executive Director of the Roxborough
25 District, one of the neighborhood improvement

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2 districts that has recently been improved, speaking
3 in support of the bill.

4 We have recently implemented my
5 Neighborhood Improvement District, had invoiced the
6 property owners under the schedule that they had
7 approved, and the assessments were due at the end of
8 August. At this point in October, while most of
9 them have paid, we're still a long ways from what
10 they had agreed. I was speaking with several of the
11 businesses about when they were going to pay and
12 their willingness, and I got several informal
13 discussions from them saying that there's really no
14 incentive for them to pay it all now. It made more
15 sense for them to never pay the assessment, let the
16 liens build up, and when they sell the property in
17 five or ten years after we've made all the
18 improvements and built up the district then they
19 could easily pay it out of the proceeds of the
20 property.

21 I think we need to provide a real
22 incentive for property owners to participate in the
23 Neighborhood Improvement District. When we were
24 discussing the fairness of the assessment, one of
25 the key selling points was that everybody would be

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2 contributing, everybody benefiting. We don't want
3 to end up in a situation where a small number of
4 property owners are able to benefit without
5 contributing. I think charging an interest on
6 outstanding balances is one way to provide that
7 incentive.

8 COUNCILMAN KENNEY: Thank you very much.

9 MR. CATTEL: I'll leave a copy of
10 written statement with somebody.

11 COUNCILMAN KENNEY: Thank you.

12 Any questions for this witness?

13 (No response.)

14 COUNCILMAN KENNEY: Anyone else to
15 testify on this bill?

16 (No response.)

17 THE CHAIRMAN: There's none.

18 The next bill is Bill No. 030617, an
19 ordinance amending Title 14 of The Philadelphia
20 Code, relating to "Zoning and Planning," by amending
21 Chapter 14-1600, entitled "Miscellaneous," by adding
22 a new section 14-1607.1, entitled "Special Controls
23 for Chestnut Street," under certain terms and
24 conditions.

25 Please identify yourself for the

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2 record.

3 MR. CHAPMAN: Good morning, Mr. Chairman
4 and Members of the Committee. For the City Planning
5 Commission, my name is Thomas Chapman.

6 Once again, this bill has not been
7 considered by the Planning Commission, so I don't
8 have any testimony to offer.

9 If Councilman Clarke would like, I could
10 describe what the purpose of this bill is.

11 COUNCILMAN KENNEY: Please.

12 MR. CHAPMAN: This bill would amend the
13 Zoning Code -- this bill extends the special
14 controls for Rittenhouse Row section of the Zoning
15 Code to include properties on Chestnut Street
16 between Broad Street and 20th Street. Currently,
17 these controls regulate properties on Walnut Street
18 from Broad to 20th. This bill would extend those
19 same controls to the same blocks on Walnut Street.

20 The proposed controls would prohibit the
21 following uses from occupying the ground floor of
22 buildings in that stretch of Chestnut Street: Dry
23 cleaning establishment, financial institution,
24 manicure nail salon, retail sell of drugs, sale of
25 general merchandise, retail groceries, sales of

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2 major appliances, sales of optical goods when the
3 use exceeds 2500 square feet in gross floor area,
4 sales of recorded music when the use exceeds 2500
5 square feet in gross floor area, sales of variety
6 store merchandise, which is a dollar store, shoe
7 repair, tanning salon or spa, tatoo and body
8 piercing establishment, and fortune teller
9 establishment.

10 It's my understanding that the purpose
11 of these amendments is, as was the intent on Walnut
12 Street, to create both higher level of shopping for
13 those blocks as well as to remove some uses from
14 those blocks that tend to close at 5 o'clock so that
15 you have more of an opportunity of shopping at
16 night.

17 COUNCILMAN KENNEY: Councilman Clarke.

18 COUNCILMAN CLARKE: Thank you, Mr.
19 Chairman. Mr. Chairman, Mr. Chapman is correct.
20 The other thing that we hope to obtain as it related
21 to the initial overlay was to put the business
22 association, particularly Rittenhouse Row, in a
23 position to have more input in any zoning processes.
24 While there is a substantial number of prohibited
25 uses, we found that during the course of the

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2 implementation of this overlay on Walnut Street, a
3 good number of applicants have been successful, but
4 it was after substantive negotiations with the
5 Rittenhouse Row organization working with the City
6 to ultimately end up with something that was
7 conducive to both parties. So we would like to
8 extend that to Chestnut Street.

9 We found this to be something that has
10 created a sense of vibrancy on Walnut Street, and we
11 hope to add that to Chestnut Street as we continue
12 to grow in Center City.

13 COUNCILMAN KENNEY: Thank you very much.
14 Are you going to be offering an amendment also?

15 COUNCILMAN CLARKE: Yes, Mr. Chairman.
16 I have circulated an amendment and when we go into
17 public meeting, I'd like to make a motion to adopt
18 that amendment.

19 COUNCILMAN KENNEY: Is there any
20 description you think is required for the amendment
21 at this point?

22 COUNCILMAN CLARKE: It's essentially
23 relatively technical. We just had to define in
24 terms of the boundaries a little more succinctly in
25 this particular amendment.

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2 COUNCILMAN KENNEY: Thank you.

3 Any questions for this witness?

4 (No response.)

5 COUNCILMAN KENNEY: Seeing none, anyone
6 else to testify on this bill?

7 (No response.)

8 COUNCILMAN KENNEY: I would like to make
9 clear for the record that Bills No. 030492, 030564,
10 030565, and 030566 will all be held at the request
11 of the sponsors.

12 The final Calendar bill on the Calendar
13 today is Bill No. 030483, which is an ordinance
14 amending Title 14 of The Philadelphia Code relating
15 to "Zoning and Planning" by amending Chapter 14-200
16 entitled "Residential Districts" by repealing
17 Section 14-202 entitled "R-1 Residential District"
18 through Section 14-223 entitled "RC-3 Residential
19 District," and by replacing said provisions of "R-1
20 Residential" through "RC-3 Residential" in the form
21 of charts and supplementary material, by amending
22 Section 14-224 entitled "RC-4 Residential District,"
23 by amending Section 14-226 entitled "RC-6
24 Residential District," by making certain technical
25 amendments to provisions of Chapter 14-200 entitled

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2 "Residential Districts," by amending Chapter 14-100
3 entitled "General Provisions" by adding definitions,
4 amending certain definitions and re-numbering
5 definitions, and by amending Chapter 14-1400
6 entitled Parking and Loading Facilities by making
7 certain technical amendments to Section 14-1401, all
8 under certain terms and conditions.

9 Please identify yourself for the record
10 and proceed.

11 MR. CHAPMAN: Good morning, Mr. Chairman
12 and Members of the Rules Committee. My name is
13 Thomas Chapman. I'm Director of the Development
14 Planning Division for the City Planning Commission,
15 and I am here today to testify in favor of Bill No.
16 030483.

17 Councilmember Blackwell, on behalf of
18 Council President Verna, introduced this bill on
19 June 12, 2003. I hope you've been handed a package
20 of documents. This would include a two-page
21 document that summarizes why we think the Zoning
22 Code need to be overhauled, a summary of the
23 amendments to the Zone Code that are included in
24 Bill No. 030483, a copy of the bill, as well as
25 full-sized versions of the proposed charts.

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2 This bill is the first step in what we
3 hope will be a series of incremental amendments to
4 revise, update, clarify, and in general modernize
5 the City's Zoning Code. This first bill is
6 primarily a re-formatting of the residential zoning
7 classifications in a form that we hope will be
8 easier to read, easier to use, and easier to
9 understand.

10 A goal of this effort is to come up with
11 a code that a person with a high school education
12 would be able to read and understand. And I think
13 we would all agree, as we sit here today, that our
14 Code, since it's over 500 pages, doesn't meet that.

15 This bill contains only a few
16 substantive amendments to the Code, and these
17 amendments are an effort to clarify some provisions
18 of the Code and to address a number of
19 inconsistencies that were discovered as part of the
20 process of preparing this bill.

21 There are three things we'd like to
22 accomplish in writing a revised Philadelphia Zoning
23 Code, and that is to streamline the Code, to
24 reorganize it, and to modernize it. Why do we think
25 we should do this? Well, the present Code that was

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2 enacted in 1962 was actually drafted and written in
3 the mid to late 1950s. It was written to deal with
4 post World War II development of farm land or
5 undeveloped land. Much of what we do today is
6 redeveloped land, since there's very little land
7 left in the City that hasn't been developed at
8 sometime or another.

9 Since its enactment in 1962, the Code
10 has been amended so many times it's difficult to
11 compile all the changes that have taken place. The
12 Code does not work well when one is attempting to do
13 infield development along existing streets because
14 in many instances in residential districts it
15 assumes 90 feet deep lots. In many of the older
16 area of the City, the street dimension is 120 to 150
17 feet so when you divide that block down the middle,
18 you don't get lots that are 90 feet deep.

19 The Code falls short in recognizing
20 allowing for modern home occupations. Uses that are
21 virtually obsolete today are permitted in many
22 classifications, for example, hat blocking, assay
23 office, wagon repair. On the other hand, there's
24 little or no mention of things like computers and
25 microchips and even video rentals.

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2 The Code doesn't adequately deal with
3 the uses that are incompatible with each other. For
4 example, there are no Zoning Code restrictions on a
5 body and fender shop business locating right to a
6 residential use.

7 The definitions in the code are
8 inadequate. And definitions help define what is and
9 what isn't permitted, but there hasn't been
10 significant changes to our definitions since the
11 1960s. The mix of uses permitted in residential
12 zoning districts isn't appropriate. For example, a
13 doctor's office when the doctor resides on the
14 premises is permitted as a matter of right in most
15 residential districts. When these provisions were
16 placed in the Code, a doctor's office didn't have
17 near the impact on adjacent properties that it would
18 now with all the employees that doctors have these
19 days, all the examination rooms, and parking needs
20 of modern doctor's office. Once again, this is an
21 example of how the Code does not recognize the
22 impacts that many uses can have on each other.

23 I'd like to go through some of the
24 provisions of Bill 030483 now.

25 All of the dimensional requirements of

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2 R-1 through R-10A, the residential zoning
3 classifications that are most commonly used and
4 mapped, are placed in the Code in the form of a
5 chart. The R-1 through R-10A residential zoning
6 classifications are used for more than 94 percent of
7 all residentially zoned properties in the City and
8 account for 33 percent of all zoned land in the
9 City. A few pages of permitted uses, footnotes and
10 abbreviations supplement these provisions.

11 This bill repeals and replaces the R-1
12 through RC-3 residential zoning classifications in
13 their entirety. The provisions of these districts
14 are then placed back into the Code in either the
15 charts or reformatted text provisions.

16 The dimensional or zoning provisions of
17 R-1 through R-10A are placed in the Code entirely in
18 the charts. And proceeding these charts are the
19 lists of permitted residential uses, non-residential
20 uses, and about two pages of explanatory footnotes
21 and abbreviations.

22 Most of the standard dimensional
23 provisions of R-10B through RC-3 have also been
24 placed in the charts. The provisions of these
25 districts that require expansive detail and

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2 explanation remain in the Code as text.

3 The definitions contained in section
4 14-102 of the Code had been re-numbered and new
5 cross-references have been added. A definition of
6 "floor" has been added and a definition for "story"
7 has also been added. At the request of the
8 Department of Licenses and Inspections, the
9 definitions of "private garage" and "public garage"
10 have been amended. The definition of "side yard"
11 was clarified to ensure that when a property is
12 located on a corner lot, the building must meet the
13 setback requirement of both street frontages. This
14 is not a change in the existing Code requirements.
15 It better states the true intentions of the existing
16 language.

17 In an effort to clarify what most likely
18 is an unintended inconsistency, the R-15 residential
19 district is being amended to allow single-family and
20 duplex dwellings. This district had previously
21 permitted only multiple family dwellings like
22 apartment buildings and condominiums and was the
23 only residential classification in the Code that did
24 not permit single-family dwellings.

25 These amendments to the Code had been

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2 presented to the local chapter of the AIA and real
3 property section of the Philadelphia Bar Association
4 and also have been discussed with various community
5 interest groups like the Coalition of Philadelphia
6 Advocacy Groups and Coalition of Neighborhood
7 Associations. The staff has also met with Council
8 President Verna and members of her staff on a number
9 of occasions and has presented these amendments to
10 representatives of Members of Council at a meeting
11 scheduled by Council President Verna.

12 There's a few amendments to the bill
13 that were recommended to the Law Department that I'd
14 like to offer. There are very minor amendments, but
15 with your permission, Mr. Chairman, I'd describe
16 them read it into the record.

17 COUNCILMAN KENNEY: How many are there?

18 MR. CHAPMAN: It's like four amendments.

19 COUNCILMAN KENNEY: Please proceed.

20 MR. CHAPMAN: Thank you. There are two
21 amendments that on Page 18 of the bill. At the very
22 top of the page, we're just inserting the words "in
23 R-5" just to clarify that paragraph that's numbered
24 5 there. Then right below that the paragraph number
25 6, the words that you see there in bold are the

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2 words we're adding. And I'll just read that whole
3 paragraph.

4 "In R-6 with respect to new construction
5 for which a building permit application is filed
6 after March 1, 2003, attached..." Then the word
7 "buildings" is being removed and the word "dwellings"
8 is being added right there. So that would read
9 "attached dwellings are permitted in groups of not
10 more than four in the minimum lot width..." and then
11 the words "for all buildings" are added "...shall be
12 20 feet.

13 COUNCILMAN KENNEY: "For all dwellings."

14 MR. CHAPMAN: I'm sorry. You're
15 correct, "for all dwellings."

16 After the semicolon, all the words after
17 the semicolon are added, and those words are "for
18 all properties, attached dwellings are permitted in
19 groups of not more than 10."

20 On the next page, the only thing that
21 we're adding there is under the cells at the top of
22 the page that you see are marked R-1, R-1A and R-2.
23 If you look down into the third cell, we've added
24 the number 35 next to the words "building height
25 limit, non-dwelling."

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2 As introduced, those three cells don't
3 have a number in. And the reason that we're adding
4 the number 35 in there so that it's clear that a
5 garage in those districts can't exceed a height of
6 35 feet. If we leave that space blank there, it
7 kind of leaves that question open.

8 And then the very last amendment on the
9 third page that I've given to you, it's Page No. 26,
10 about halfway down the page on the column on the
11 left you'll see "detached single family or duplex
12 dwelling." The words "or duplex" are being taken
13 out of there. That was a typographical error.

14 That concludes my testimony for today.

15 COUNCILMAN KENNEY: Thank you.

16 Any questions for the witness?

17 (No response.)

18 THE CHAIRMAN: Anyone else to testify on
19 the bill?

20 (No response.)

21 COUNCILMAN KENNEY: Seeing no one, we
22 will move back for a moment to Bill No. 030617 for
23 some supplemental testimony. We're concluded with
24 030483.

25 Would you please come forward?

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2 Good morning. Please identify yourself
3 for the record.

4 MR. DAVIDAL: Don Davidal. I'm the
5 ex-President of Rittenhouse Row and also in charge
6 of Government Affairs Committee for Rittenhouse Row.

7 COUNCILMAN KENNEY: Please proceed.

8 MR. DAVIDAL: One of the things that we
9 have actively been pursuing is an overlay for
10 Chestnut Street. As you know, we had passed an
11 overlay for Walnut Street, which our experience is
12 that it has just worked out magnificently, both for
13 the City and both for the businesses in Center City.
14 We always looked at Walnut Street as pretty much an
15 upscale type of street, and what we were concerned
16 about was the fact that we felt that we were
17 starting to see certain types of businesses located
18 in the prime part of Walnut Street which were
19 hampering other businesses from wanting to even come
20 onto Walnut Street. And the idea was that we felt
21 that by having the right mix of businesses that we
22 could generate a much more active Center City area
23 and attract many businesses that would bring in
24 people to Center City and to the prime streets.

25 And we now see that on Chestnut Street

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2 there's been a tremendous movement of real estate
3 purchases and that that particular street has the
4 opportunity to rival Walnut Street in being a
5 productive Philadelphia shopping area. And what we
6 are interested in seeing passed it an overlay very
7 similar to the overlay that we did on Walnut Street
8 to make sure that we have the ability to attract the
9 type of businesses that will make Chestnut Street a
10 great street again, that will make stores and
11 businesses want to come back to Philadelphia, either
12 from the suburbs or out of Center City.

13 The interesting thing about Chestnut
14 Street versus Walnut Street is many of the stores
15 are there on a 30-day lease. Many of the new
16 purchasers have tenants there that are very
17 substandard, who are not taking care of their
18 property, who really and truly will eventually
19 probably disappear. But what we want to encourage
20 is that if somebody is coming into Center City and
21 wants to invest in fixing up a piece of real estate
22 on Chestnut Street that they have the opportunity to
23 have a larger size store, which is available on
24 Chestnut Street and not available any longer on
25 Walnut Street, and will not be forced to say "I

1 10/15/03 - RULES - BILL 030617

2 don't want to come in because I don't want to sit
3 next to another type of business such as maybe a
4 tatoo parlor or something else that we at
5 Rittenhouse Row do not think is appropriate for the
6 area and that we have found out in our Walnut Street
7 overlay has worked very effectively in attracting
8 the types of businesses that we think will be a
9 positive for the City.

10 COUNCILMAN KENNEY: I agree. Walnut has
11 worked well. If you can replicate that on Chestnut,
12 it would be so much better for the City.

13 MR. DAVIDAL: We would love to do that.

14 COUNCILMAN KENNEY: Thank you.

15 Any questions?

16 (No response.)

17 COUNCILMAN KENNEY: Anyone else to
18 testify?

19 (No response.)

20 COUNCILMAN KENNEY: Seeing none, that
21 will conclude our public hearing.

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COUNCIL OF THE CITY OF PHILADELPHIA

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PUBLIC MEETING

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COMMITTEE ON RULES

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Wednesday, October 15, 2003

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9 Public meeting conducted by the
Committee on Rules, held in Room 696, City Hall,
10 Philadelphia, Pennsylvania, on the above date, to
consider action on the following:

11 BILLS 030483, 030612, 030617.

12

PRESENT:

13

COUNCILMAN JAMES KENNEY, Chair

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COUNCILMAN DARRELL CLARKE

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COUNCILMAN FRANK DICICCO

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COUNCILMAN MICHAEL NUTTER

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1 10/15/03 - RULES - PUBLIC MEETING

2 COUNCILMAN KENNEY: We will now convene
3 a public meeting of the Rules Committee.

4 The Chair recognizes Councilmember
5 Clarke for a motion to approve the amendments to
6 Bill 030483.

7 COUNCILMAN CLARKE: Thank you, Mr.
8 Chairman. Mr. Chairman I make a motion for the
9 amendment to Bill No. 030483 be adopted.

10 (Duly seconded.)

11 COUNCILMAN KENNEY: It's been moved and
12 seconded.

13 All in favor?

14 (Aye.)

15 COUNCILMAN KENNEY: There are none
16 opposed. Bill No. 030483 will be amended
17 accordingly.

18 The Chair recognizes Councilmember
19 Clarke for a motion on the amended Bill 030483 with
20 a rules suspension request.

21 COUNCILMAN CLARKE: Thank you, Mr.
22 Chairman. I make a motion that Bill 030483, as
23 amended, be reported out of Committee with favorable
24 recommendation and request for a suspension of the
25 Rules.

1 10/15/03 - RULES - PUBLIC MEETING

2 (Duly seconded.)

3 COUNCILMAN KENNEY: Moved and seconded.

4 All in favor?

5 (Aye.)

6 COUNCILMAN KENNEY: There are none
7 opposed. Bill No. 030483, as amended, reported out
8 of this committee with a favorable recommendation.
9 A request will be made for Rules suspension to allow
10 for first reading at our next Council Session.

11 The Chair recognizes Councilman Nutter
12 for a motion on Bill No. 030612.

13 COUNCILMAN NUTTER: Mr. Chairman, I move
14 that Bill 030612 be reported out of this committee
15 with a favorable recommendation, and further
16 recommendation that the Rules of Council be
17 suspended so as to permit first reading at our next
18 Session.

19 (Duly seconded.)

20 COUNCILMAN KENNEY: Moved and seconded.

21 All in favor?

22 (Aye.)

23 COUNCILMAN KENNEY: There are none
24 opposed. Bill No. 030612 reported out of this
25 Committee favorably. A request will be made for

1 10/15/03 - RULES - PUBLIC MEETING

2 Rules suspension to allow for first at our next
3 Council Session.

4 The Chair recognizes Councilmember
5 Clarke for a motion to approve the amendment to Bill
6 030617.

7 COUNCILMAN CLARKE: Thank you, Mr.
8 Chairman. I make a motion that the amendment for
9 Bill No. 030617 be adopted.

10 (Duly seconded.)

11 COUNCILMAN KENNEY: Moved and seconded.

12 All in favor?

13 (Aye.)

14 COUNCILMAN KENNEY: There are none
15 opposed. Bill No. 030617 will be amended
16 accordingly.

17 The Chair recognizes Councilmember
18 Clarke for the a motion on the amended bill.

19 COUNCILMAN CLARKE: Thank you, Mr.
20 Chairman. I make a motion that bill No. 030617, as
21 amended, be reported out of Committee with favorable
22 recommendation, and a request for a suspension of
23 the rules.

24 (Duly seconded.)

25 COUNCILMAN KENNEY: Moved and second.

1 10/15/03 - RULES - PUBLIC MEETING

2 All in favor?

3 (Aye.)

4 COUNCILMAN KENNEY: Bill No. 030617, as
5 amended, reported out of this Committee favorably.

6 A request will be made for rules suspension to allow
7 for first reading at our next Council Session.

8 That concludes the business of this
9 Committee. Thank you your attendance.

10 (Council adjourned at 10:55 a.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of October 15, 2003, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: COMMITTEE ON RULES

Lisa C. Bradley, RPR